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Attorneys for Plaintiff and Counterclaim
Defendant SHAKEY'S PIZZA ASIA
VENTURES, INC. and Third Party Defendants
CINCO CORPORATION, PC
INTERNATIONAL PTE LTD., and SPAVI
INTERNATIONAL USA, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SHAKEY'S PIZZA ASIA VENTURES,
INC, A PHILIPPINES
CORPORATION,

Plaintiff,

v.

PCJV USA, LLC, A DELAWARE
LIMITED LIABILITY COMPANY;
PCI TRADING, LLC, A DELAWARE
LIMITED LIABILITY COMPANY;
GUY KOREN, AN INDIVIDUAL;
POTATO CORNER LA GROUP, LLC,
A CALIFORNIA LIMITED
LIABILITY COMPANY; NKM
CAPITAL GROUP, LLC, A
CALIFORNIA LIMITED LIABILITY
COMPANY; J & K AMERICANA,
LLC, A CALIFORNIA LIMITED
LIABILITY COMPANY; J&K
LAKEWOOD, LLC, A CALIFORNIA
LIMITED LIABILITY COMPANY;
J&K VALLEY FAIR, LLC, A
CALIFORNIA LIMITED LIABILITY
COMPANY; J & K ONTARIO, LLC, A

Case No. 2:24-CV-04546-SB(AGRx)

The Hon. Stanley Blumenfeld, Jr.

**DECLARATION OF MICHAEL
MURPHY IN RESPONSE TO
ORDER TO SHOW CAUSE, DKT.
223**

Complaint Filed: May 31, 2024
Trial Date: August 18, 2025

CALIFORNIA LIMITED LIABILITY COMPANY; HLK MILPITAS, LLC, A CALIFORNIA, LIMITED LIABILITY COMPANY; GK CERRITOS, LLC, A CALIFORNIA, LIMITED LIABILITY COMPANY; J&K PC TRUCKS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; AND, GK CAPITAL GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND DOES 1 THROUGH 100, INCLUSIVE,

Defendants.

PCJV USA, LLC, A DELAWARE LIMITED LIABILITY COMPANY; PCI TRADING LLC, A DELAWARE LIMITED LIABILITY COMPANY; POTATO CORNER LA GROUP LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; GK CAPITAL GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; NKM CAPITAL GROUP LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; AND GUY KOREN, AN INDIVIDUAL,

Counter-Claimants,

v.

SHAKEY'S PIZZA ASIA VENTURES, INC, A PHILIPPINES CORPORATION,

Counter Defendant.

PCJV USA, LLC, A DELAWARE LIMITED LIABILITY COMPANY; PCI TRADING LLC, A DELAWARE LIMITED LIABILITY COMPANY; POTATO CORNER LA GROUP LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; GK CAPITAL GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; NKM CAPITAL GROUP LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; AND GUY KOREN, AN INDIVIDUAL,

1 Third Party Plaintiffs,

2 v.

3 PC INTERNATIONAL PTE LTD., A
4 SINGAPORE BUSINESS ENTITY;
5 SPAVI INTERNATIONAL USA, INC.,
6 A CALIFORNIA CORPORATION;
7 CINCO CORPORATION, A
8 PHILIPPINES CORPORATION; AND
9 DOES 1 THROUGH 10, INCLUSIVE,

10 *Third Party Defendants.*

11 I, Michael D. Murphy, declare as follows:

12 1. I am a Partner with the law firm Fox Rothschild LLP, attorneys of
13 record for Plaintiff and Counterclaim Defendant SHAKEY'S PIZZA ASIA
14 VENTURES, INC. and Third-Party Defendants CINCO CORPORATION, PC
15 INTERNATIONAL PTE LTD., and SPAVI INTERNATIONAL USA, INC.
16 ("Plaintiffs"). I am licensed to practice before all courts in the State of California.

17 2. I offer this Declaration in response to this Court's OSC issued on July
18 23, 2025 ("OSC"), pertaining to the Motions *in Limine* filed independently, rather
19 than jointly. I submit this Declaration in response to the OSC in which this Court
20 ordered an explanation after striking the three Motions in Limine and an explanation
21 as to why no sanctions should issue.

22 3. On July 3, 2025, Defendants filed their motion *in limine* on the
23 injunction and contempt issue. Dkt. No. 209. Defendants did not follow the Court's
24 guidelines regarding the filing of joint motions *in limine*.

25 4. In this litigation, Defendants have regularly asserted that Plaintiff's
26 conduct amounted to waiver or default relating to various pretrial filings. Indeed, as
27 noted in the Court's OSC, Defendants motion *in limine* asserted that Plaintiff missed
28 the deadline to file an opposition despite the fact that the Court continued the trial
and pre-trial filing deadlines two days prior. Therefore, out of an abundance of
caution and to avoid any risk of waiving Plaintiff's rights, or any argument as to

1 waiver, I filed Plaintiff's own *in limine* motions on July 14, 2025.

2 5. Our filing was not designed to be a sign of disrespect. It was my intent
3 to prepare all replies and all of those would be assembled in pretrial filings as per
4 this Court's Order. It was not a sign of disrespect or disregard for this Court's Order
5 or instructions but instead a belt and suspenders so as to protect the record from
6 Defendants' accusations of tardiness and waiver. I sincerely apologize for having
7 filed a document out of order from this Court's pretrial instructions. I assure this
8 Court that this will never happen again.

9 I declare under penalty of perjury under the laws of the United States that the
10 foregoing is true and correct.
11

12
13 Dated: August 1, 2025

/s/ Michael D. Murphy
Michael D. Murphy

CERTIFICATE OF SERVICE

The undersigned certifies that, on June 26, 2025, the foregoing document was electronically filed with the Clerk of the Court for the United States District Court, Central District of California, using the Court's ECF filing system. I further certify that all counsel for all parties to this action are registered CM/ECF user and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: August 1, 2025

FOX ROTHSCHILD LLP

/s/ Michael D. Murphy

Michael D. Murphy

Attorneys for Plaintiff and Counterclaim
Defendant SHAKEY'S PIZZA ASIA
VENTURES, INC. and Third-Party
Defendants CINCO CORPORATION,
PC INTERNATIONAL PTE LTD., and
SPAVI INTERNATIONAL USA, INC.